

FISH AND SHELLFISH

20514. Adulteration and misbranding of canned jack mackerel. U. S. v. 54 Cases * * *. (F. D. C. No. 35274. Sample No. 59441-L.)

LIBEL FILED: June 4, 1953, Western District of South Carolina.

ALLEGED SHIPMENT: On or about October 15, 21, and 23, and December 2, 1952, by the French Sardine Co., from Terminal Island, Calif.

PRODUCT: 54 cases, each containing 48 15-ounce cans, of jack mackerel at Belton, S. C.

LABEL, IN PART: (Can) "Eatwell Brand California Mackerel Water and Salt Added."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), jack mackerel had been substituted in whole or in part for Pacific mackerel, which the article was represented to be.

Misbranding, Section 403 (a), the label statement "Mackerel" and the vignette depicting Pacific mackerel were false and misleading as applied to the article, which was jack mackerel; and, Section 403 (i) (1), the label of the article failed to bear the common or usual name of the food.

DISPOSITION: July 8, 1953. The French Sardine Co., having appeared as claimant, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling under the supervision of the Department of Health, Education, and Welfare.

20515. Adulteration and misbranding of canned jack mackerel. U. S. v. 34 Cartons * * *. (F. D. C. Nos. 35085, 35086. Sample Nos. 18048-L, 18050-L.)

LIBEL FILED: June 8, 1953, District of Hawaii.

ALLEGED SHIPMENT: On or about May 22, 1953, by Collins Bros., from Wilmington, Calif.

PRODUCT: 34 cartons, each containing 48 cans, of jack mackerel at Wailuku, T. H.

LABEL, IN PART: (Can) "Arch Rock California Mackerel Net Weight 15 Oz. Distributed By Oxnard Cannery Inc Monterey Calif."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), another variety of fish, jack mackerel, had been substituted for California mackerel, which the article was represented to be.

Misbranding, Section 403 (a), the label statement "California Mackerel" was false and misleading as applied to the article, which consisted of a variety of fish other than California mackerel.

DISPOSITION: On or about July 21, 1953. Default decree of condemnation. The court ordered that the product be delivered to charitable institutions.

20516. Adulteration of frozen red snappers. U. S. v. 1,482 Pounds * * *. (F. D. C. No. 34638. Sample No. 50050-L.)

LIBEL FILED: February 2, 1953, District of New Jersey.

ALLEGED SHIPMENT: On or about December 31, 1952, from New York, N. Y.

PRODUCT: 1,482 pounds of frozen red snappers in 12 boxes at Monmouth Beach, N. J.